

ORIGINAL

Approved: Daniel G. Nessim
 Daniel G. Nessim
 Assistant United States Attorney

Before: HONORABLE STEWART D. AARON
 United States Magistrate Judge
 Southern District of New York

10 MAG 9686

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 UNITED STATES OF AMERICA :

- v. - :

JAIME ROSARIO JR., :

Defendant. :

SEALED COMPLAINT

Violation of
 21 U.S.C. § 846;
 18 U.S.C. §§ 924(c), 2

COUNTY OF OFFENSE:
 NEW YORK

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 SOUTHERN DISTRICT OF NEW YORK, ss.:

ROY ABOUNAOUM, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD") and charges as follows:

COUNT ONE
 (Narcotics Conspiracy)

1. From at least in or about July 2019 through the present, in the Southern District of New York and elsewhere, JAIME ROSARIO JR., the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JAIME ROSARIO JR., the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that JAIME ROSARIO JR., the defendant, conspired to distribute and possess with intent to distribute were (i) 50 grams and more of mixtures and substances containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Section 841(b)(1)(B), (ii) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C), and (iii) mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWO
(Firearms Offense)

4. On or about October 16, 2019, in the Southern District of New York and elsewhere, JAIME ROSARIO JR., the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics offense charged in Count One of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying and possession of a firearm.

(Title, 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

5. I am a Detective with the NYPD and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, and my conversations with law enforcement officers, law enforcement employees, and witnesses, as well as a review of documents. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Since in or about June 2019, the NYPD and the Drug Enforcement Administration ("DEA") have been investigating a group of individuals involved in the distribution of fentanyl and other controlled substances. Based on my participation in this investigation, I have learned that during the course of the

investigation, an undercover NYPD detective (the "UC") conducted approximately ten purchases of controlled substances, including fentanyl, cocaine, and methamphetamine, from an individual ("CC-1"). For example:

a. On or about June 25, 2019, the UC met with CC-1 in the Bushwick neighborhood of Brooklyn, and purchased six pills of purported oxycodone from CC-1. However, a subsequent lab test revealed that the pills in fact contained fentanyl.

b. On or about July 2, 2019, the UC met with CC-1 in the Williamsburg neighborhood of Brooklyn, and purchased six pills of purported oxycodone from CC-1. However, a subsequent lab test revealed that the pills in fact contained fentanyl. During the July 2 buy, the UC also purchased two bags of cocaine from CC-1.

c. On or about July 31, 2019, the UC met with CC-1 on the Lower East Side of Manhattan. The UC purchased purported cocaine from CC-1. However, a subsequent lab test revealed that the purported cocaine was in fact methamphetamine that weighed approximately 65 grams.

7. Based on my participation in this investigation, my review of documents, and my conversations with other law enforcement officers, I have learned, among other things, the following:

d. From on or about July 11, 2019 through on or about July 16, 2019, CC-1 and the UC discussed the UC purchasing cocaine from CC-1. On or about July 16, 2019, CC-1 instructed the UC to come to the apartment (the "Apartment") of a co-conspirator later identified as JAIME ROSARIO JR., the defendant. Later that day, the UC visited the Apartment, which is located in Astoria, Queens. The UC purchased four oxycodone pills and approximately 49 grams of cocaine from CC-1 and ROSARIO.

e. CC-1 later provided the UC with ROSARIO's phone number (the "Rosario Phone") so that the UC could communicate directly with ROSARIO to purchase narcotics.

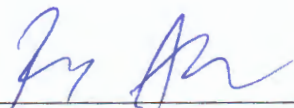
f. On or about September 3, 2019, the UC contacted ROSARIO on the Rosario Phone to arrange a purchase of purported oxycodone. On or about September 4, 2019, the UC met ROSARIO in Manhattan, New York, and purchased fifteen purported oxycodone pills. However, a subsequent lab test revealed that these pills in fact contained fentanyl.

g. On or about September 12, 2019, the UC contacted ROSARIO on the Rosario Phone to arrange a purchase of purported cocaine. That day, the UC met ROSARIO at the Apartment, and purchased purported cocaine from ROSARIO. This substance was subsequently lab tested and returned a positive test for the presence of cocaine.

h. On or about October 8, 2019, the UC contacted ROSARIO on the Rosario Phone to arrange a purchase of purported cocaine. On or about October 9, 2019, the UC met ROSARIO at the Apartment and purchased purported cocaine from ROSARIO. However, this substance was subsequently weighed and lab tested, which revealed that it tested positive for the presence of methamphetamine and weighed approximately 65.4 grams.

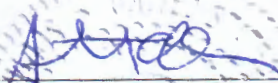
i. On or about October 16, 2019, law enforcement executed a search of ROSARIO's residence, pursuant to a judicially authorized search warrant, and recovered, among other things, (i) stored in a safe, a bag weighing approximately 430 grams of a substance that, based on my training and experience, resembles narcotics; (ii) an additional bag weighing approximately 120 grams that, based on my training and experience, resemble narcotics; and (iii) four firearms, including a shotgun with a defaced serial number and two pistols with defaced serial numbers. Based on my training and experience, I know that it is common for individuals engaged in drug trafficking to possess firearms for the protection of their drug stash and the proceeds of their narcotics trafficking.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of JAIME ROSARIO JR., the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



Roy Abounaoum
Detective
New York City Police Department

Sworn to before me this
16th day of October, 2019



THE HONORABLE STEWART D. AARON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

